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2 Teri Dean,)	2 Exhibit 1 Page 42
3 Plaintiff,)	(Kansas City Star news article dated
4 v.) Case No. 5:19-CV-06022-SRB	3 May 30, 2018)
5 Edward Bearden, et al.,)	4 Exhibit 2 Page 43
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9 IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI	Exhibit 3 Page 49
10 Jane Doe,)	(Article entitled 2 Lawsuits Allege
11 Plaintiff,)	7 Inmate Sexual Assault by Missouri Guard
12 v.) Case No. 19-CV-6161-BP	8 dated 6/6/16)
13 Edward Bearden, in his)	Exhibit 4 Page 50
14 Individual Capacity,)	(News Roundup e-mail dated 6/11/18)
15 Defendant.)	9
16 VIDEO RECORDED VIDEOCONFERENCE DEPOSITION	Exhibit 5 Page 56
17 OF	(News Roundup e-mail dated 6/19/18)
18 ANNE PRECYTHE	10 Exhibit 6 Page 59
19 The Video Recorded Videoconference Deposition	(Article entitled Missouri Prison Guard
20 of ANNE PRECYTHE, a witness called at the instance	12 Sued for Third Time Over Alleged Sex
21 of the Plaintiffs, for purposes of DISCOVERY taken	13 Assaults of Inmates dated 7/2/2018)
22 on April 28, 2021 at 9:01 a.m., via Zoom, before	14 Exhibit 7 Page 60
23 Julie Ann Whiting, Missouri Certified Court Reporter	(Springfield News-Leader article entitled
24 and Registered Professional Reporter, pursuant to	15 Missouri Investigates After 3 Women Allege
25 Notice.	16 Sexual Assault by Same Prison Guard dated
	17 Exhibit 8 Page 69
	(Email from John Ammann dated 3/19/18)
	18 Exhibit 9 Page 72
	(E-mail from Stacey Ross dated 6/28/18)
	19
	Exhibit 10 Page 75
	20 (Document entitled Exhibit 47 containing
	21 documents MDOC 002361 through MDOC 002367)
	22 Exhibit 11 Page 61
	(E-mail from Anne Precythe to Edward
	23 Bearden dated 8/17/18)
	24 (Whereupon, the exhibits were attached to
	25 the original and copies.)

<p style="text-align: right;">Page 5</p> <p>1 APPEARANCES 2 APPEARING VIA VIDEOCONFERENCE 3 FOR THE PLAINTIFFS: 4 The Law Offices of Joan M. Swartz 5 Jennifer C. Snow, Esq. 6 3348 Greenwood Boulevard 7 St. Louis, Missouri 63143 8 (314)471-2032 9 jsnow@jmsllc.com 10 - and - 11 St. Louis University Legal Clinic 12 John J. Ammann, Esq. 13 Brendan D. Roediger, Esq. 14 10 North Tucker 15 St. Louis, Missouri 63101 16 (314)977-2778 17 john.ammann@slu.edu 18 brendan.roediger@slu.edu 19 20 APPEARING VIA VIDEOCONFERENCE 21 FOR DEFENDANT ANNE PRECYTHE: 22 23 Office of Attorney General 24 State of Missouri 25 Zachary Buchheit, Esq. 207 West High Street Jefferson City, Missouri 65101 (573)751-3321 zachary.buchheit@ago.mo.gov 20 APPEARING VIA VIDEOCONFERENCE 21 FOR DEFENDANT KEVIN L. REED: 22 23 Office of Attorney General 24 State of Missouri 25 Christal Wang, Esq. 207 West High Street Jefferson City, Missouri 65101 (573)751-3321 christal.wang@ago.mo.gov</p>	<p style="text-align: right;">Page 7</p> <p>1 IT IS HEREBY STIPULATED AND AGREED, by and 2 between counsel for Plaintiffs and counsel for 3 Defendants, that the Video Recorded 4 Videoconference Deposition of ANNE PRECYTHE may 5 be taken in shorthand by Julie Ann Whiting, a 6 Certified Court Reporter, and afterwards 7 transcribed into typewriting, and the signature 8 of the witness is expressly not waived. 9 (Deposition start time: 9:01 a.m.) 10 ***** 11 THE VIDEOGRAPHER: We're on the record. 12 Today's date is April 28th, 2021, and the time 13 is approximately 9:01 a.m. This is the Video 14 Recorded Deposition of Anne Precythe in the 15 matter of Karen Backues Keil versus MHM 16 Services, Inc. et al., Case Number 17 5:18-CV-06074-BP, in the United States District 18 Court for the Western District of Missouri. 19 This deposition is being held at remote 20 locations. The reporter's name is 21 Julie Whiting. My name is John Niehaus. I'm 22 the legal videographer. We are with Alaris 23 Litigation Services. 24 Would the court reporter please administer 25 the remote stipulation and swear in the</p>
<p style="text-align: right;">Page 6</p> <p>1 APPEARANCES (CONTINUED) 2 APPEARING VIA VIDEOCONFERENCE 3 FOR DEFENDANTS EDWARD BEARDEN, 4 ELIJAH MOSIER AND TODD MUSTAIN: 5 Office of Attorney General 6 State of Missouri 7 Nicolas J. Taulbee, Esq. 8 207 West High Street 9 Jefferson City, Missouri 65101 10 (573)751-3321 11 nicolas.taulbee@ago.mo.gov 12 13 14 15 16 17 THE VIDEOGRAPHER: 18 John Niehaus, CLVS 19 Alaris Litigation Services 20 711 North 11th Street 21 St. Louis, Missouri 63101 22 (314)644-2191 23 24 REPORTED VIA VIDEOCONFERENCE BY: 25 Julie Ann Whiting, CCR 830(MO), RPR Alaris Litigation Services 711 North 11th Street St. Louis, Missouri 63101 (314)644-2191</p>	<p style="text-align: right;">Page 8</p> <p>1 deponent? 2 COURT REPORTER: This is Julie Whiting, 3 and I am a Certified Court Reporter for the 4 State of Missouri. This deposition is being 5 taken remotely, and those participating in this 6 deposition today are attending in person via 7 videoconference, with the witness appearing 8 from Jefferson City, Missouri. 9 The attorneys participating in this 10 proceeding acknowledge their understanding that 11 I am not physically present with the witness 12 and that I will be reporting this proceeding 13 remotely. They further acknowledge that I will 14 not be administering the oath in person, but am 15 doing so remotely. The parties and their 16 counsel consent to this arrangement and waive 17 any objections to this manner of proceeding. 18 Counsel, please indicate your individual 19 agreement verbally on the record by stating 20 your name and that you stipulate to these 21 terms, after which I will swear in the witness 22 and we may begin. 23 MS. SNOW: Jenifer Snow on behalf of 24 Plaintiffs. I stipulate. 25 MR. BUCHHEIT: Zach Buchheit on behalf of</p>

<p style="text-align: right;">Page 9</p> <p>1 Director Anne Precythe, and we stipulate to</p> <p>2 those terms.</p> <p>3 MR. TAULBEE: Nicolas Taulbee on behalf of</p> <p>4 Edward Bearden, Elijah Mosier, and Todd</p> <p>5 Mustain, and we stipulate to those terms.</p> <p>6 MS. WANG: Christal Wang on behalf of</p> <p>7 Defendant Kevin Reed. I also stipulate to the</p> <p>8 terms.</p> <p>9 MR. BUCHHEIT: Jenifer, do you also want</p> <p>10 to go ahead and agree that an objection by one</p> <p>11 is an objection by all?</p> <p>12 MS. SNOW: That's fine.</p> <p>13 MR. BUCHHEIT: Great.</p> <p>14 (Discussion off the record.)</p> <p>15 (Off the record at 9:04 a.m.)</p> <p>16 (On the record at 9:06 a.m.)</p> <p>17 THE VIDEOGRAPHER: We're back on the</p> <p>18 record at approximately 9:06 a.m.</p> <p>19 EXAMINATION</p> <p>20 QUESTIONS BY MS. SNOW:</p> <p>21 Q Good morning, Director Precythe. How are</p> <p>22 you doing today?</p> <p>23 A Just fine. Thank you.</p> <p>24 Q My name is Jenifer Snow, and I represent</p> <p>25 several Plaintiffs in lawsuits pending in the</p>	<p style="text-align: right;">Page 11</p> <p>1 Q And how many times?</p> <p>2 A One.</p> <p>3 Q And what was, I guess, either the</p> <p>4 Plaintiff name or the case name for that?</p> <p>5 A I don't recall the Plaintiff name in that</p> <p>6 case. It was around the Kansas City Reentry Center</p> <p>7 allegations from 2016, is what I recall.</p> <p>8 Q Okay. Any other depositions regarding</p> <p>9 assault, harassment, abuse?</p> <p>10 A Not that I'm aware of.</p> <p>11 Q Have you ever given testimony at a trial?</p> <p>12 A No.</p> <p>13 Q Okay. What did you review to prepare for</p> <p>14 today?</p> <p>15 A What did I review?</p> <p>16 Q Yes.</p> <p>17 A Nothing.</p> <p>18 Q Okay. Are you aware that -- are you aware</p> <p>19 of what Interrogatories and Requests for Production</p> <p>20 are if I use those terms?</p> <p>21 A Yes.</p> <p>22 Q Okay. Are you aware that you have served</p> <p>23 Answers to Interrogatories and now several</p> <p>24 Supplemental Responses to Requests for Production in</p> <p>25 this lawsuit?</p>
<p style="text-align: right;">Page 10</p> <p>1 District Court of the Western District of Missouri.</p> <p>2 Do you understand you're here today due to being</p> <p>3 named in the Teri Dean lawsuit specifically?</p> <p>4 A Yes.</p> <p>5 Q And just before we get going, for the</p> <p>6 record, state your full name, please.</p> <p>7 A Anne Precythe.</p> <p>8 Q And I imagine you've given depositions</p> <p>9 before. Is that -- is that a true statement?</p> <p>10 A Yes.</p> <p>11 Q And how many depositions have you given over the</p> <p>12 years, if you could estimate?</p> <p>13 A Five.</p> <p>14 Q Oh, okay. And how -- what is the most</p> <p>15 recent?</p> <p>16 A The most recent one was Paul Watts.</p> <p>17 Q And what was that about?</p> <p>18 A It was an employee discrimination case.</p> <p>19 Q And have you ever been deposed in a 1983</p> <p>20 action?</p> <p>21 A I don't recall.</p> <p>22 Q Okay. Have you ever given deposition</p> <p>23 testimony regarding allegations of sexual assault or</p> <p>24 sexual harassment or sexual abuse?</p> <p>25 A Yes.</p>	<p style="text-align: right;">Page 12</p> <p>1 A Yes.</p> <p>2 Q Did you review any of those answers or</p> <p>3 responses --</p> <p>4 A No.</p> <p>5 Q -- before today? Did you review any of</p> <p>6 those answers or responses at any time before they</p> <p>7 were given to me?</p> <p>8 A No, not that I'm aware of.</p> <p>9 Q Is it fair to say you also have not</p> <p>10 reviewed any of the documents that your lawyer,</p> <p>11 Zach Buchheit, has produced in this litigation?</p> <p>12 A That is correct.</p> <p>13 Q If I told you there were several answers</p> <p>14 and responses in your discovery that said either you</p> <p>15 don't know or maybe it said investigation continues</p> <p>16 or will supplement, as you prepared for today, I</p> <p>17 guess, even mentally or talking to Zach, are you</p> <p>18 aware of anything in your possession responsive to</p> <p>19 anything that we requested that you have not either</p> <p>20 given Zach or that Zach has not given us?</p> <p>21 MR. BUCHHEIT: Let me just object. It's a</p> <p>22 bit vague, but you can answer.</p> <p>23 A Can you repeat the question?</p> <p>24 Q (By Ms. Snow) Yeah. And maybe I'll</p> <p>25 rephrase it to make it a little more clear. I'm</p>

3 (Pages 9 to 12)

1 just trying to figure out -- we asked for a lot of
2 information, both -- both from you and your
3 department in this litigation and we have been
4 given, I would say, very little. And I am just
5 wondering if you know of anything else that's going
6 to come our way, or if you, you know, gave Zach
7 20,000 e-mails and you know he only gave us about
8 12. I'm just wondering if you know of anything that
9 you have that's responsive to what we requested that
10 we do not have yet?

11 A I do not.

12 Q Director, are you married?

13 A Yes.

14 Q And what is your husband's name?

15 A Henry C. -- H.C.

16 Q And what does he do?

17 A He is a sweet potato salesman.

18 Q Okay. And I assume he is now in Missouri?

19 A He lives in Jefferson City with me, yes.

20 Q And I believe your little bio on-line says
21 you have two daughters; is that correct?

22 A We do.

23 Q And do they live here now, or do they
24 still live elsewhere? Like, I think you came from
25 North Carolina. Do they live out east still, or do

1 Q Okay. And I just kind of want to know
2 your job titles out in North Carolina.

3 A So I was the Director for Community
4 Corrections, which is comparable to Probation and
5 Parole here in the State of Missouri. I was a
6 Interstate Compact Administrator. I was an
7 administrator of -- I forget -- I actually forget
8 the title -- of services within the Department of
9 Public Safety Community Corrections. So I oversaw
10 the Sex Offender Supervision Unit, the Electronic
11 Monitoring Station, evidence-based practices,
12 justice reinvestment, Interstate Compact, and then I
13 was a Community Corrections Analyst for the
14 department and I was also a Probation and Parole
15 officer.

16 Q And then you came here again in 2017 and
17 you've served as the Director ever since. True?

18 A Yes.

19 Q And what are your just overall
20 responsibilities as Director? Just explain that to
21 the jury, because they probably have no idea what --
22 what being the Director at the Department of
23 Corrections at the State of Missouri means.

24 A Right. So I'm responsible for the
25 oversight of approximately 10,000-plus employees,

1 they live here, too?

2 A They're still in North Carolina.

3 Q And what do they do?

4 A One is a stay-at-home mom and one works
5 for a treatment program in North Carolina.

6 Q Okay. And I can tell from your accent you
7 are probably not from Missouri. Where were you born
8 and raised?

9 A I'm from North Carolina and have lived
10 there for 50-some years before I moved to
11 Jefferson City.

12 Q And I believe you were appointed Director
13 in February of 2017. Is that true?

14 A I was confirmed in February of 2017. I
15 got here in January of 2017.

16 Q Okay. So from the date you were born
17 until 2017, you were in North Carolina?

18 A Correct.

19 Q Okay. Are you aware -- and let's just --
20 sorry. Strike that.

21 What -- you worked for the North Carolina
22 Department of Public Safety and with correction
23 centers; correct?

24 A With the Division of Community
25 Corrections, yes.

1 24,000 inmates, and about 59,000 people under
2 probation or parole supervision. We have 20
3 different institutions across the State of Missouri,
4 two transition centers, and six community
5 supervision centers that we operate that are 24/7
6 facilities.

7 We deal with things from lethal fences at
8 our institutions, to the largest healthcare contract
9 in the State of Missouri. We're responsible for
10 providing safety for our offenders inside our
11 institutions. We've been working on culture change
12 across the department with staff. And there's a lot
13 that goes on in our -- in our department. We're a
14 very -- we're the largest State department in
15 Missouri.

16 Q And what would you say in 2017 when you
17 became Director what the, I guess, kind of state or
18 status of the Department of Corrections -- and I'm
19 talking about the employees and I'm talking about
20 the inmates and the offenders, just kind of the
21 whole system. What would you say the state of that
22 was in 2017 when you started working here?

23 MR. BUCHHEIT: Objection. Vague,
24 ambiguous. If you understand, you can answer.

25 A Right. When I got here, the department

<p style="text-align: right;">Page 17</p> <p>1 was in need of some leadership. There were a lot of 2 inconsistencies across the 20 institutions. Our 3 four divisions were very siloed. So we have 4 Division of Prisons, we have Division of Probation 5 and Parole, Division of Offender Programs and 6 Rehabilitative Services, and our Division of Human 7 Services. And all the divisions were very siloed. 8 People didn't know where we were headed as a 9 department. They didn't know how they fit in to the 10 work that we did. They didn't feel valued. 11 So we've spent a lot of time working on 12 helping supervisors communicate with their teams. 13 And at the same time, we've been employing 14 evidence-based practices in both our institutional 15 settings, as well as community supervision. So 16 we've been adding a lot of structure and I've built 17 a lot more -- we've increased our resources for 18 using data about how we manage inside our prisons 19 and with our offender population, as well as how 20 we're changing the culture within our institutions. 21 Q (By Ms. Snow) And is that culture more 22 officer-based or offender/inmate-based, or both? 23 A We focused mostly on staff when I got 24 here. Offender management happens and has been 25 happening for a very long time. There were a lot of</p>	<p style="text-align: right;">Page 19</p> <p>1 Q Okay. So you focus kind of on -- I mean, 2 would it be fair to say that you, over the last 3 several years, have helped clean up and you were 4 brought in to kind of clean up the staff-on-staff 5 harassment? 6 MR. BUCHHEIT: Objection. Vague, 7 ambiguous. 8 A We have focused on helping staff have 9 outlets to be able to report allegations of 10 harassment and then how we respond and -- how we 11 report and respond to those allegations. 12 Q (By Ms. Snow) And whose focus is it to 13 worry about the offenders having outlets? 14 A So we ensure that the offenders have 15 outlets to report allegations and complaints of any 16 type of mistreatment, misconduct, whatever. We have 17 that in place. 18 Q And when you say we, are you talking 19 about -- I want to make sure moving forward we're 20 kind of talking about the same group of people. 21 Would it be fair to say that you're talking about 22 the leadership team when you say we? 23 A Yes. The department as a whole and 24 thinking about leadership, whether it's at a 25 particular institution or the executive team. I</p>
<p style="text-align: right;">Page 18</p> <p>1 things that needed to be paid attention to for 2 staff, and then staff ultimately impact the offender 3 population. 4 Q When you started as the Director for the 5 Department of Corrections in Missouri, would you 6 agree that correctional officers struggle in a 7 culture of harassment and neglect? 8 MR. BUCHHEIT: Objection. Vague and 9 ambiguous. 10 A I had heard a lot of complaints from our 11 staff about harassment, retaliation, and 12 discrimination. 13 Q (By Ms. Snow) And those complaints have 14 stayed kind of consistent over the -- over the last 15 several years. Is that a true statement, or would 16 you disagree with that? 17 A I would disagree with that. 18 Q And when we're talking about harassment, 19 are we talking about officer-on-officer harassment 20 or officer-on-offender harassment, or both? 21 A Staff-on-staff harassment, primarily. 22 Q And what about staff-on-offender or 23 staff-on-inmate harassment? 24 A I'm not as familiar with the number of 25 complaints that we have regarding those.</p>	<p style="text-align: right;">Page 20</p> <p>1 mean, we ensure that we have the practices and 2 policies in place for staff and offenders. 3 Q Okay. And who -- who reports directly to 4 you? 5 A The four division directors and my 6 Director for the Office of Professional Standards, 7 the reentry manager, and my deputy department 8 Director and then my executive assistant. 9 Q So I just want to make sure I have those 10 people's names, just so when we're talking later 11 about names, I want to make sure there's no 12 confusion. So you said your division directors. 13 So is that -- 14 A Correct. 15 Q -- Jeff Norman? 16 A Yes. 17 Q And Julie Kemp -- Kemp -- Kempker? 18 A Kempker. Kempker. 19 Q And Travis Terry? 20 A Yes. 21 Q And Susan Pulliam? 22 A Pulliam. 23 Q And then you said the Director of Office 24 of Professional Standards, so Matt Briesacher? 25 A Yes.</p>

5 (Pages 17 to 20)

1 **Q And then I believe you said Deputy**
2 **Director, so Matt Strum?**
3 A Sturm.
4 **Q And then who else did you say?**
5 A My executive assistant, Donna Higgins, and
6 our reentry manager, Ken Chapman.
7 MR. BUCHHEIT: Hey, Jenifer? Can we take
8 a quick five-minute break?
9 MS. SNOW: Sure.
10 MR. BUCHHEIT: Thanks.
11 THE VIDEOGRAPHER: Going off the record at
12 approximately 9:22 a.m.
13 (Off the record at 9:22 a.m.)
14 (On the record at 9:26 a.m.)
15 THE VIDEOGRAPHER: We're back on the
16 record at approximately 9:26 a.m.
17 **Q (By Ms. Snow) So Director Precythe, I**
18 **believe we were talking about just before the quick**
19 **break just people who reported to you directly, and**
20 **you just gave me, I believe, eight names. Anyone**
21 **else that reports directly to you on a regular**
22 **basis?**
23 A No.
24 **Q And when we say -- when I say reports**
25 **directly to you, I mean about basically the ins and**

1 **outs of what's going on in the prison systems across**
2 **the state. Is that a fair summarization of that, or**
3 **what -- what does it mean -- you're kind of shaking**
4 **your head no. What -- when I say reports directly**
5 **to you, what are they reporting to you about?**
6 A The people that report directly to me --
7 report information directly to me are my four
8 Division Directors and the Office of Professional
9 Standards Director.
10 **Q And who is your Communications Director?**
11 A Karen Pojmann.
12 **Q And does she directly report to you?**
13 A So when we talk -- if you're asking does
14 she -- maybe I need you to ask -- I need to be
15 clear --
16 **Q Sure.**
17 A -- more clear about what you mean by
18 directly report.
19 **Q Does she have to -- when she is speaking,**
20 **she is speaking on behalf of the Department of**
21 **Corrections when she speaks out to the press or**
22 **gives statements to the press. Is that true?**
23 A That's correct.
24 **Q Does she check with you before giving**
25 **statements?**

1 A Sometimes she does.
2 **Q Does she --**
3 A We trust her not to have to run everything
4 through me or my deputy.
5 **Q So it's not required that she run it**
6 **through -- through you or Matt before she talks to**
7 **any press?**
8 A No.
9 **Q If she comments about lawsuits**
10 **specifically, does that change that answer? In**
11 **other words, if she is giving a comment about a**
12 **recently filed lawsuit, does she have to run that**
13 **through you or Matt, or you still just kind of give**
14 **her the discretion to make comments to the press as**
15 **she sees fit?**
16 MR. BUCHHEIT: Objection. Vague,
17 ambiguous. If you understand the question.
18 **Q (By Ms. Snow) Yeah. And Director**
19 **Precythe, I -- I didn't really run over the ground**
20 **rules of the deposition with you, but if you ever**
21 **think that a question I'm asking is too vague or you**
22 **don't understand it, just tell me and I'll do my**
23 **best to rephrase it. Okay?**
24 A Okay.
25 MR. BUCHHEIT: Hey, can you give us a

1 second?
2 THE WITNESS: Yeah.
3 MR. BUCHHEIT: I think we're going to plug
4 in our --
5 THE WITNESS: My battery just showed up
6 running low. Okay. Thank you.
7 MS. SNOW: Now I don't remember my
8 question that Zach thought was very vague.
9 Julie, can you help me out?
10 (Record read.)
11 A I trust Karen to get the information she
12 needs from the most appropriate person prior to
13 making comments to the media.
14 **Q (By Ms. Snow) And so for a lawsuit**
15 **about -- I mean, obviously we all know why we're**
16 **here today. There are several lawsuits against**
17 **correctional officers that worked or used to work at**
18 **Chillicothe Correctional Center; correct? That's**
19 **why we're here today?**
20 A Yes.
21 **Q And you are aware -- well, strike that.**
22 **Are you aware that there are now five**
23 **lawsuits that have been filed against Edward Bearden**
24 **specifically?**
25 A I was not.

<p style="text-align: right;">Page 25</p> <p>1 Q You were not. When did you become aware</p> <p>2 that there are now five pending lawsuits against</p> <p>3 Edward Bearden?</p> <p>4 A Just now.</p> <p>5 Q Just now, as in when your deposition was</p> <p>6 requested for this case or when you were named in</p> <p>7 this case? What do you mean by just now?</p> <p>8 A Just now, when you said -- I mean, I</p> <p>9 didn't know there were five cases. I was familiar</p> <p>10 with one.</p> <p>11 Q Okay. And is that one the Teri Dean case?</p> <p>12 A It's the one that I've been prepared on.</p> <p>13 Q So the -- the only one that you're a</p> <p>14 named -- a named party in?</p> <p>15 A Correct.</p> <p>16 Q Okay. And that case was filed in February</p> <p>17 of 2019. At that point, did you know Edward Bearden</p> <p>18 was involved in other lawsuits?</p> <p>19 A I did not.</p> <p>20 Q And just to go back to who reports</p> <p>21 directly to you, are you guys all located at the</p> <p>22 same -- same office?</p> <p>23 A We are.</p> <p>24 Q And I believe before the deposition</p> <p>25 started, you called it the Broadway Building in</p>	<p style="text-align: right;">Page 27</p> <p>1 correspondences with him in either 2017 or 2018?</p> <p>2 A I don't recall.</p> <p>3 Q Sorry. I was going to finish that as --</p> <p>4 to -- to kind of limit it a little bit, because I'm</p> <p>5 sure maybe you had an e-mail or two from him over</p> <p>6 the years, but specifically regarding any sexual</p> <p>7 assault or sexual harassment allegations that</p> <p>8 occurred in Chillicothe at any time? You don't</p> <p>9 remember if you had any correspondences with</p> <p>10 Ryan Bangert about any of that?</p> <p>11 A I don't recall.</p> <p>12 Q So obviously I -- I know that the Attorney</p> <p>13 General's office is who handles the lawsuits, you</p> <p>14 know, from the legal side of things when</p> <p>15 offenders or -- sorry -- when officers are sued.</p> <p>16 Who inside the Department of Corrections</p> <p>17 kind of on your end handles all of that?</p> <p>18 A Matt Briesacher oversees our litigation</p> <p>19 pieces.</p> <p>20 Q And he's one of the people that you said</p> <p>21 reports directly to you; right?</p> <p>22 A Correct.</p> <p>23 Q Do you and Matt Briesacher have regular</p> <p>24 meetings to discuss litigation specifically? Does</p> <p>25 he give you reports sometimes? I mean, I kind of</p>
<p style="text-align: right;">Page 26</p> <p>1 Jeff City. So all of you guys are at the Broadway</p> <p>2 Building in Jeff City?</p> <p>3 A No.</p> <p>4 Q Who --</p> <p>5 A My office is in another location in</p> <p>6 Jefferson City. I'm at the Attorney General's</p> <p>7 office here in the Broadway Building right now.</p> <p>8 Q I got you. But your office in Jeff City,</p> <p>9 is that -- is that referred to sometimes as the</p> <p>10 Central Office?</p> <p>11 A Yes.</p> <p>12 Q And are all of the people that you listed</p> <p>13 for me or I attempted to list for you, with</p> <p>14 incorrect spellings sometimes, are all of those</p> <p>15 people also in the Central Office?</p> <p>16 A They are.</p> <p>17 Q Okay. Is your Communications Director in</p> <p>18 the Central Office as well?</p> <p>19 A Yes.</p> <p>20 Q Do you know Ryan Bangert in the AG's</p> <p>21 office? Does that name ring a bell to you?</p> <p>22 A The name is familiar. The name is</p> <p>23 familiar.</p> <p>24 Q He's -- he's no longer there. I just --</p> <p>25 do you know if you ever had any correspondence --</p>	<p style="text-align: right;">Page 28</p> <p>1 just want to learn or know about how he kind of</p> <p>2 keeps you informed about lawsuits that are pending</p> <p>3 or that have been recently filed or both.</p> <p>4 MR. BUCHHEIT: Objection, compound. Which</p> <p>5 question are you asking?</p> <p>6 Q (By Ms. Snow) I mean, I'm just kind of --</p> <p>7 I just kind of want to know -- I mean, there's not a</p> <p>8 specific question. I just want to know -- you told</p> <p>9 me that Matt Briesacher reports to you, and you just</p> <p>10 told me that as the Director of the Office of</p> <p>11 Professional Standards, or OPS, he is basically who</p> <p>12 handles all of the litigation from the Department of</p> <p>13 Corrections for things. We obviously know the</p> <p>14 Attorney Generals handle it from the legal side of</p> <p>15 things. I just want to know what you -- kind of</p> <p>16 your relationship with Matt Briesacher as far as</p> <p>17 litigation goes. I mean, do you meet regularly? Do</p> <p>18 you meet weekly, monthly? Does he give you reports?</p> <p>19 I mean, I just --</p> <p>20 MR. BUCHHEIT: Objection. Vague,</p> <p>21 compound, ambiguous.</p> <p>22 Q (By Ms. Snow) I'll try rephrasing the</p> <p>23 question until I get an answer. I just want to</p> <p>24 know -- I mean, I can -- do you understand what I'm</p> <p>25 asking, Director Precythe?</p>

7 (Pages 25 to 28)

1 MR. BUCHHEIT: Do you know which question
2 she's asking?

3 THE WITNESS: No.

4 **Q (By Ms. Snow) Yeah, I mean I'll try to**
5 **break it down. Matt Briesacher, you just told me --**
6 **well, we already established he's kind of on a**
7 **leadership team or he reports directly to you and he**
8 **works out of the Central Office. True?**

9 A Correct.

10 **Q And you also just informed me that he is**
11 **the person within the Department of Corrections that**
12 **handles the litigation any time correctional**
13 **officers are sued or any time you are sued or named**
14 **in a lawsuit or any time the Department of**
15 **Corrections is involved in --**

16 MR. BUCHHEIT: Objection.

17 **Q (By Ms. Snow) -- litigation. He is the**
18 **person that handles that.**

19 MR. BUCHHEIT: Objection. Objection.

20 Misstates testimony.

21 THE WITNESS: Do I answer?

22 MR. BUCHHEIT: You can answer if you
23 understand the question.

24 A He is one of the people in our office that
25 handles litigation.

1 **reports litigation matters to you.**

2 A We have started meeting on a monthly
3 basis. We started that about six months ago,
4 meeting with our legal team to get an update on
5 where cases are, what's going to involve my office,
6 just information like that. But until then, we met
7 when Matt felt I needed to be made aware of some
8 information.

9 **Q And there was no set frequency of prior to**
10 **six months ago how often Matt felt like you should**
11 **be aware of information or litigation?**

12 MR. BUCHHEIT: Objection. Misstates the
13 testimony. Objection. Testimony from counsel.
14 If you understand it, you can answer.

15 A There was --

16 **Q (By Ms. Snow) I'm not trying to misstate**
17 **you, Director Precythe. I think you just told me**
18 **six -- as of six months ago, you meet with Matt**
19 **Briesacher or the legal team once a month.**

20 A That's correct.

21 **Q And you said prior to that -- so seven**
22 **months ago, eight months ago, a year ago, two years**
23 **ago, three years ago -- you basically met whenever**
24 **Matt felt it was necessary to talk to you about**
25 **litigation?**

1 **Q (By Ms. Snow) Okay. One of. Who else**
2 **handles litigation in your office?**

3 A He has another lawyer that has been
4 recently hired to assist.

5 **Q When we say -- when you say recently**
6 **hired, do you mean in 2021?**

7 A He started, I believe, sometime in late
8 2020.

9 **Q And do you know his name?**

10 A Roy Smith.

11 **Q Okay. So Roy Smith and Matt Briesacher**
12 **handle the litigation. Does Roy Smith also report**
13 **directly to you?**

14 A No.

15 **Q He reports to Matt Briesacher, and**
16 **Matt Briesacher reports directly to you?**

17 A Yes.

18 **Q Okay. I guess now I just want to know,**
19 **when we say reports -- when we say Matt Briesacher**
20 **reports directly to you, I want to know -- I mean,**
21 **I'm not trying to trick you. I honestly am trying**
22 **to learn -- when Matt Briesacher finds out about a**
23 **lawsuit, does he report that to you? Does he give**
24 **you some summary in an e-mail? Does he come knock**
25 **on your office door? I just want to know how he**

1 A That is correct.

2 **Q Okay. But there was no frequency in**
3 **those? Matt could meet you once a quarter, once a**
4 **year?**

5 A We met more often than that.

6 **Q How often did you meet with Matt, would**
7 **you say, back in 2017?**

8 A I have no specific time frame. He would
9 come to me when he had things that he knew or he
10 felt I needed to be aware of. We had no regular
11 reporting frequency.

12 **Q Okay. And between 2017 and 2020, when you**
13 **started meeting monthly, would you say you met about**
14 **monthly anyways, or did you meet once every six**
15 **months? I mean, you just said it was more**
16 **frequently than once a quarter, so I'm just trying**
17 **to gauge how often Matt would meet with you.**

18 A I talk with Matt on a regular, recurring
19 basis, but we talk about an assortment of things,
20 not just litigation matters. So, I mean, he and I
21 meet on -- it's hard to say. It's not a regular
22 routine, but I talk to him frequently.

23 **Q And are most of your talks or**
24 **correspondences with him just in person?**

25 A Yes.

<p style="text-align: right;">Page 33</p> <p>1 Q Are any of your meetings and</p> <p>2 correspondences ever, I guess, memorialized into a</p> <p>3 document or a written e-mail or memo?</p> <p>4 A No.</p> <p>5 Q Do you recall meeting with Matt Briesacher</p> <p>6 regarding Teri Dean's lawsuit at any time?</p> <p>7 A I do not.</p> <p>8 Q Do you remember meeting with Matt</p> <p>9 Briesacher regarding as Ashley Zieser's lawsuit at</p> <p>10 any time?</p> <p>11 A Could you repeat that question?</p> <p>12 Q Yep. Do you remember meeting with</p> <p>13 Matt Briesacher regarding Ashley Zieser's lawsuit at</p> <p>14 any time?</p> <p>15 A No.</p> <p>16 Q Do you remember a meeting with Matt</p> <p>17 Briesacher regarding Lynnsey Betz's lawsuit at any</p> <p>18 time?</p> <p>19 A No.</p> <p>20 Q Do you remember meeting with</p> <p>21 Matt Briesacher regarding Karen Keil's lawsuit at</p> <p>22 any time?</p> <p>23 A No.</p> <p>24 Q Do you remember meeting with Matt</p> <p>25 Briesacher regarding a lawsuit that's been filed by</p>	<p style="text-align: right;">Page 35</p> <p>1 about doing investigations when they need to?</p> <p>2 A I -- I don't know.</p> <p>3 Q Are you aware that there was an FBI</p> <p>4 investigation -- and, actually, I don't think it's</p> <p>5 been closed yet -- at Chillicothe Correctional</p> <p>6 Center in 2018?</p> <p>7 A I don't recall. I don't recall that.</p> <p>8 Q As you sit here today, you don't know if</p> <p>9 that happened or not?</p> <p>10 A That's correct.</p> <p>11 Q If I told you that there was in fact an</p> <p>12 FBI investigation, FBI's walking around and</p> <p>13 Department of Justice folks were walking around</p> <p>14 Chillicothe taking pictures and interviewing people</p> <p>15 in 2018, would that surprise you?</p> <p>16 MR. BUCHHEIT: Objection. Testimony from</p> <p>17 counsel. It's vague and ambiguous. Subject to</p> <p>18 that, you can answer.</p> <p>19 A It's -- it's possible. There are a lot of</p> <p>20 things that go on in our department, and so I rely</p> <p>21 on other people to keep me informed of the things</p> <p>22 that I need to be aware of. It's possible that I</p> <p>23 was informed back in 2018, but a lot has happened</p> <p>24 since then, so I just -- I'm -- I just don't recall.</p> <p>25 Q (By Ms. Snow) And who would be -- I</p>
<p style="text-align: right;">Page 34</p> <p>1 a Plaintiff who is now going by the name of Jane</p> <p>2 Doe?</p> <p>3 A No.</p> <p>4 Q Is it possible Matt met with you regarding</p> <p>5 any one of these lawsuits between 2017 and -- let's</p> <p>6 just say between 2017 and 2018?</p> <p>7 A I don't recall. As I sit here today, I</p> <p>8 don't recall any of those names or meeting with him</p> <p>9 on any of those cases.</p> <p>10 Q So it's possible he did, it's possible he</p> <p>11 didn't, you just don't know?</p> <p>12 A Correct.</p> <p>13 Q Are you notified when lawsuits are</p> <p>14 originally filed?</p> <p>15 A No.</p> <p>16 Q Are you notified when PREA reports are</p> <p>17 filed?</p> <p>18 A No.</p> <p>19 Q Are you notified when the FBI wants to do</p> <p>20 an investigation at one of the facilities in</p> <p>21 Missouri?</p> <p>22 A I'm told about those.</p> <p>23 Q Okay. And who kind of -- I assume they</p> <p>24 don't just come knock on your office door. Who does</p> <p>25 the FBI kind of communicate with in your office</p>	<p style="text-align: right;">Page 36</p> <p>1 already asked this and you said you don't really</p> <p>2 know. But who would be the person to tell you that</p> <p>3 there are FBI investigations happening at one of the</p> <p>4 facilities in the State of Missouri?</p> <p>5 A Matt Briesacher.</p> <p>6 Q Okay. Are you fully staffed in the</p> <p>7 prisons in Missouri currently?</p> <p>8 A No.</p> <p>9 Q I figured that was your answer, but you</p> <p>10 paused, so I didn't know. Are -- is Chillicothe</p> <p>11 specifically fully staffed?</p> <p>12 A Chillicothe has -- has a few vacancies,</p> <p>13 but nowhere near what a lot of our other</p> <p>14 institutions have. I don't recall the specific</p> <p>15 number of vacancies they have.</p> <p>16 Q Is it hard to find qualified candidates to</p> <p>17 fill these vacancies?</p> <p>18 A No. No. It's really more finding people</p> <p>19 who want to come do the work inside the corrections</p> <p>20 operation.</p> <p>21 Q Okay. And are you more reluctant to</p> <p>22 either suspend or terminate correctional officers</p> <p>23 because of staffing shortages?</p> <p>24 A No.</p> <p>25 Q And I -- are you aware that in a webinar</p>

9 (Pages 33 to 36)

<p style="text-align: right;">Page 37</p> <p>1 recently you said you would not fire guards for not 2 wearing masks because you need everybody that you 3 have? 4 A Yes. I recall saying that. 5 Q Do you personally know Edward Bearden? 6 A I do not. 7 Q Do you personally know Todd Mustain? 8 A I do not. 9 Q Do you know -- personally know 10 Elijah Mosier? 11 A I do not. 12 Q Do you personally know Kevin Reed? 13 A I do not. 14 Q Have you ever talked with any of the four 15 of them? 16 A Not that I'm aware of. 17 Q Never interviewed any of them? 18 A Not that I'm aware of. 19 Q Do you know Karen Keil? 20 A No, I don't. 21 Q Do you know Lynnsey -- and I guess her 22 name was Karen Backues when she was incarcerated. 23 Does that name ring a bell, or do you know 24 Karen Backues or that name at all? 25 A I do not.</p>	<p style="text-align: right;">Page 39</p> <p>1 Q And there has been -- just so you know, 2 there are -- as I'm sure you are aware, a lot of 3 policies and procedures regarding, you know, 4 harassment, assault, abuse, and kind of the steps 5 that the Department takes in investigating those. 6 But what do you personally do in your office or 7 day-to-day duties when an offender alleges assault 8 and an officer says he didn't do it? 9 A I don't normally get those. I don't get 10 those complaints at my level. Those are 11 investigated with -- through DAI or they're turned 12 over to the PREA unit and Vevia Sturm, who is our 13 PREA coordinator. She handles those. 14 Q Do you get -- I guess do you get wind of 15 any of these or all of these investigations when 16 they happen? 17 MR. BUCHHEIT: Objection. Vague, 18 ambiguous. 19 A If I'm aware of them, I turn them over to 20 Vevia's office immediately. 21 Q (By Ms. Snow) And does Vevia report back 22 to you about whether any claim is either 23 substantiated or unsubstantiated? 24 A No. 25 Q So you would have no way to know either</p>
<p style="text-align: right;">Page 38</p> <p>1 Q What about Lynnsey Betz? 2 A I do not. 3 Q What about Ashley Zieser, used to be 4 Ashley Olsen? 5 A I do not. 6 Q What about Teri Dean? 7 A I do not. 8 Q What about Trinity George? 9 A I do not. 10 Q What about Sara Klein? 11 A No, ma'am. 12 Q What about Crystal Gray Ross? 13 A I do not. 14 Q What about Crystal Logan? 15 A I do not. 16 Q What about Teresa Davis? 17 A I do not. 18 Q And I just listed nine names of offenders 19 who at one point were incarcerated at Chillicothe 20 Correctional Center. I know you said you do not 21 know them. Do you have any reason to believe you 22 ever talked to any of them? 23 A No, I don't. 24 Q Never interviewed any of them? 25 A No.</p>	<p style="text-align: right;">Page 40</p> <p>1 way if claims are substantiated or not 2 substantiated -- or unsubstantiated? 3 MR. BUCHHEIT: Objection. Misstates the 4 testimony. 5 A No. I mean, I don't -- it's not a regular 6 reporting to me. Again, I rely on my staff to make 7 me aware of the things that I need to be aware of. 8 Q (By Ms. Snow) Were you ever interviewed 9 by the FBI or anyone at the Justice Department or 10 U.S. Attorney's office in 2018? 11 A As I sit here today, I do not recall. 12 Q Do you -- and this is going to be a 13 very -- Zach probably is going to object because 14 it's going to be a very vague question. But do you 15 read the newspapers? 16 A From time to time. 17 Q Do you read the Kansas City Star? 18 A I do not. 19 Q Do you read the St. Louis Post-Dispatch? 20 A I do not. 21 Q Do you read the Springfield Newsletter? 22 A I do not. 23 Q What newspapers do you from time to time 24 read? 25 A The Jefferson City Tribune.</p>

10 (Pages 37 to 40)

1 **Q Does your Director of Communications --**
2 **what was her name, again?**
3 A Karen Pojmann.
4 **Q Pojmann. Does she ever either collect**
5 **press clippings for you or kind of give you a**
6 **rundown of the press happening across the state as**
7 **it relates --**
8 A Yes.
9 **Q -- to the facilities that you oversee?**
10 A She gives me information when the
11 department is in the news.
12 **Q And do you read -- and I'll pull up some**
13 **exhibits in a minute. And I think she e-mails that**
14 **out? Is that -- is that fair? Somebody e-mails**
15 **them out to you?**
16 A Sometimes I get them in e-mail, yes.
17 **Q And do you read those e-mails?**
18 A Sometimes I do. Sometimes I don't.
19 **Q All right. And I'm going to pull up an**
20 **exhibit here. Well, let me ask one more question**
21 **before I do that. If a specific news article is**
22 **cited in either an e-mail from Pojmann or anyone**
23 **else that gets to your desk or to your inbox, do you**
24 **go pull that news article and read it or do you just**
25 **rely on the information that's basically in the**

1 **e-mail that you're given?**
2 A Sometimes I read the article. Sometimes I
3 rely on the information that's in the e-mail. It
4 just -- it depends.
5 **Q Okay. I am going to pull up --**
6 MR. BUCHHEIT: Are you okay? Do you need
7 a break or anything?
8 THE WITNESS: I'm okay.
9 **Q (By Ms. Snow) We'll make this Plaintiff's**
10 **Exhibit 1. Can you see my screen?**
11 A I can.
12 **Q And this is -- you can see that this is**
13 **from the Kansas City Star?**
14 A I can.
15 **Q And the date of this news article is**
16 **May 30th, 2018. Do you see that right here?**
17 A Yes.
18 **Q Have you ever seen this news article?**
19 MR. BUCHHEIT: Can you give us a chance to
20 review it?
21 MS. SNOW: Oh, yeah. Was I going too
22 fast?
23 A Okay. You can go up.
24 MR. BUCHHEIT: What's the date on that
25 article, Jenifer?

1 MS. SNOW: May 30th, 2018.
2 MR. BUCHHEIT: Okay.
3 A Okay. Okay. Stop. Okay. I don't recall
4 reading this article.
5 **Q (By Ms. Snow) Okay. On June 4, it looks**
6 **like Karen Pojmann e-mailed -- do you see my screen?**
7 A Yes.
8 MS. SNOW: And for the record, this is
9 going to be marked as Exhibit 2.
10 **Q (By Ms. Snow) It looks like right here --**
11 **I don't know why it's not letting me highlight it.**
12 **Do you see where -- do you see my mouse?**
13 A Yes.
14 **Q It lists DOC Executive Staff Members**
15 **Section Heads?**
16 A Correct.
17 **Q And then David Edwards. And I think those**
18 **are pretty much the only two people this is sent to.**
19 **Is it fair to assume that you are receiving this**
20 **e-mail as part of the Executive Staff Member section**
21 **head?**
22 MR. BUCHHEIT: Jenifer, you were cutting
23 out there for a minute. Can you repeat that?
24 **Q (By Ms. Snow) Yeah, I mean, I'm just**
25 **trying to -- so just so you know, Director Precythe,**

1 **this was produced to us from your attorney in**
2 **relation to me asking for -- or us asking for**
3 **correspondences to you. I'm just trying to confirm**
4 **one of these recipients is in fact getting to your**
5 **inbox. So were you part of this DOC Executive Staff**
6 **Members Section Heads?**
7 A Honestly, I don't know if I'm -- I don't
8 know who created that. I don't recall seeing
9 section heads, because that's not -- that's not me.
10 DOC executive staff, that's our group e-mailing, but
11 I'm not familiar with DOC Executive Staff Members
12 Section Heads. I don't know if that's a lower group
13 of people who report to all of those who report to
14 us, but I don't believe that -- I mean, it might be
15 me. I don't know.
16 **Q Okay. Do you receive these news roundups?**
17 **Is this kind of what we were talking about earlier**
18 **where there's a bunch of news clippings in an e-mail**
19 **form that's sent to your inbox?**
20 A I do recall Karen used to send the news
21 updates about what was going on in the media related
22 to Department of Corrections things. So I do recall
23 getting these e-mails.
24 **Q Okay. And how often would Karen send**
25 **these to you?**

1 A She might have sent them every week.
 2 Q Okay.
 3 A Once a week.
 4 Q And I think you said used to. Does she
 5 not do this anymore?
 6 A I haven't seen these in a long time, no.
 7 Q Okay. So this is the news roundup for
 8 June 4th. Do you see where my mouse is right here?
 9 A Yes.
 10 Q And it looks like this e-mail was sent --
 11 I mean, again, we can't confirm that it was sent
 12 technically to you, but I will represent to you that
 13 this has been produced to us as an e-mail --
 14 MS. SNOW: I mean, Zach, are -- are we
 15 going to stipulate that these e-mails went to
 16 her at some point? I don't know how you guys
 17 went through the process of eliminating what to
 18 give us and what to not give us. But it's my
 19 impression, Zach, that this is an e-mail that
 20 Director Precythe received from Karen on
 21 June 4th. Are we going to have a fight about
 22 that? Are we going to stipulate?
 23 MR. BUCHHEIT: No, we produced -- we're
 24 not going to have a fight about it. We
 25 produced this as a document from the Director's

1 inbox.
 2 MS. SNOW: Okay.
 3 Q (By Ms. Snow) So -- yeah. So Director
 4 Precythe, despite your name not being here, your
 5 attorney has represented to us that you -- you
 6 received this e-mail. And is it fair to say that
 7 your inbox received this e-mail at 9:05 p.m. on
 8 June 4th, 2018?
 9 A I would agree to that.
 10 Q Okay. We'll just -- I'm kind of going a
 11 little fast, but just because I want to get -- as
 12 much as I love talking about puppies, I want to keep
 13 going.
 14 Do you see this, Investigations &
 15 Lawsuits, Former inmate claims Missouri guard,
 16 counselor raped her?
 17 A I do.
 18 Q And this says Associated Press, May 30th,
 19 2018 and talks basically about Karen Keil and then
 20 the guard, Edward Bearden, and the counselor,
 21 John Dunn, and all the allegations that Karen set
 22 forth in her lawsuit that we looked at the article
 23 from May 30th a moment ago.
 24 Do you remember seeing that article?
 25 A I do.

1 Q And this very clearly lays out again what
 2 that article from May 30th laid out, but this did
 3 not get to your inbox until June 4, 2018?
 4 MR. BUCHHEIT: Jenifer, just to be clear,
 5 this is an article from the Associated Press,
 6 not the Kansas City Star, right?
 7 MS. SNOW: Oh, yeah. There's -- yeah. I
 8 mean, fair point, Zach. I can pull it up if we
 9 need to.
 10 Q (By Ms. Snow) Do you remember seeing an
 11 Associated Press article on May 30th, 2018 --
 12 A No.
 13 Q -- regarding these allegations? Okay.
 14 But as of June 4th, 2018, you were put on notice
 15 about both Edward Bearden and John Dunn and them
 16 being sued due to Karen's lawsuit saying that she
 17 was repeatedly raped by these individuals?
 18 MR. BUCHHEIT: Objection. Vague,
 19 ambiguous, compound. If you understand, you
 20 can answer.
 21 A I would say that I'm familiar with it, but
 22 as it says, it's pending litigation, and I don't
 23 follow cases step by step. I wait until -- until
 24 Matt Briesacher feels I need to be brought into a
 25 case, and so I don't necessarily -- I don't read the

1 media to see what they're reporting, because I
 2 don't -- I just don't read the media to see what
 3 they're reporting. I don't always trust it and
 4 so -- I mean, I'm aware of the e-mail, but I didn't
 5 necessarily read the articles.
 6 Q (By Ms. Snow) Did you read this e-mail,
 7 though?
 8 A I saw the e-mail.
 9 Q Okay. And the e-mail, again, was from
 10 June 4th, 2018?
 11 A Right.
 12 Q Okay. So as of at least June 4, 2018, you
 13 were put on notice that Edward Bearden was -- there
 14 were allegations pending against Edward Bearden for
 15 him raping Karen Keil more than 20 times?
 16 MR. BUCHHEIT: Objection. Vague as to put
 17 on notice. Ambiguous, compound. Subject to
 18 that, you can answer.
 19 A I'm aware of the allegations.
 20 Q (By Ms. Snow) Okay. And you were made
 21 aware of those in early June of 2018?
 22 MR. BUCHHEIT: Objection. Misstates prior
 23 testimony.
 24 A I read the e-mail on June 4th of '18 --
 25 Q (By Ms. Snow) Okay.

<p style="text-align: right;">Page 49</p> <p>1 A -- and I've seen this.</p> <p>2 Q Okay. Going to June 6th -- this is</p> <p>3 another article, and this will be marked Exhibit 3.</p> <p>4 MR. BUCHHEIT: Can we -- is Christal</p> <p>5 trying to say something?</p> <p>6 MS. SNOW: I can't see her.</p> <p>7 MS. WANG: Jenifer, sorry about that.</p> <p>8 Before you go to Exhibit 3, could you give the</p> <p>9 page number for Exhibit 2 so it's easier to</p> <p>10 find?</p> <p>11 MS. SNOW: Yeah, sure. I should have done</p> <p>12 that from the get-go, Christal. It is -- I</p> <p>13 guess I didn't need it scrolled all the way up.</p> <p>14 MS. WANG: I believe it's page 4 of 8 for</p> <p>15 Exhibit 2.</p> <p>16 MS. SNOW: Sorry. Yeah, it is page 4 of</p> <p>17 8. Do you want the Bates, too, or no?</p> <p>18 MS. WANG: That would be great. I</p> <p>19 appreciate it. Thank you.</p> <p>20 MR. BUCHHEIT: Hey, Jenifer, the Director</p> <p>21 would like to use the restroom. Could we take</p> <p>22 a quick restroom break?</p> <p>23 MS. SNOW: Sure.</p> <p>24 THE VIDEOGRAPHER: We're going off the</p> <p>25 record at approximately 10:03 a.m.</p>	<p style="text-align: right;">Page 51</p> <p>1 A I do.</p> <p>2 Q And for the record, this is page 4 of 8 of</p> <p>3 Exhibit 4, and under Lawsuits & Investigations,</p> <p>4 Director Precythe, basically kind of just what we</p> <p>5 saw on the exhibit before, but it says, 2 Lawsuits</p> <p>6 Allege Inmate Sexual Assault by Missouri Guard.</p> <p>7 Did I read that correctly?</p> <p>8 A Yes.</p> <p>9 Q And as we saw in Exhibit 2, which was the</p> <p>10 roundup from June 4th, 2018, this one -- which was</p> <p>11 regarding the allegations from Karen Keil, this one</p> <p>12 is now mentioning Karen Keil, but also a new</p> <p>13 Plaintiff, if you will, by the name of Lynnsey Betz.</p> <p>14 Do you see that?</p> <p>15 A I do see that.</p> <p>16 Q And you received this information on</p> <p>17 June -- I already forgot -- June 12th, 2018;</p> <p>18 correct?</p> <p>19 A Yes.</p> <p>20 Q So as of June 12th, 2018, you were aware</p> <p>21 not only of Karen Keil's lawsuit against</p> <p>22 Edward Bearden, but also of Lynnsey Betz's lawsuit</p> <p>23 against Edward Bearden? Is that --</p> <p>24 MR. BUCHHEIT: Objection. Mis --</p> <p>25 misstates prior testimony. If you understand</p>
<p style="text-align: right;">Page 50</p> <p>1 (Off the record at 10:03 a.m.)</p> <p>2 (On the record at 10:10 a.m.)</p> <p>3 THE VIDEOGRAPHER: We're back on the</p> <p>4 record at approximately 10:10 a.m.</p> <p>5 Q (By Ms. Snow) And Director Precythe, I'm</p> <p>6 now going to direct your attention to Exhibit --</p> <p>7 what will be marked as Exhibit 3. Do you see my</p> <p>8 screen still?</p> <p>9 A I do.</p> <p>10 Q And 2 Lawsuits Allege Inmate Sexual</p> <p>11 Assault by Missouri Guard, dated June 6th, 2018?</p> <p>12 A Yes.</p> <p>13 Q Do you see it says that? Have you -- and</p> <p>14 I'll go slowly, but have you ever seen this article</p> <p>15 before?</p> <p>16 A I don't recall.</p> <p>17 Q Okay. I don't even need to keep going.</p> <p>18 You don't think you've seen it?</p> <p>19 A I don't.</p> <p>20 Q Okay. And what will be marked as</p> <p>21 Exhibit 4 is the next roundup that's been produced,</p> <p>22 and it looks like this one is from Karen Pojmann to</p> <p>23 you and it's the news roundup from June 11th, but it</p> <p>24 looks like it wasn't sent to you until June 12th,</p> <p>25 2018 at 7:24 p.m. Do you see that?</p>	<p style="text-align: right;">Page 52</p> <p>1 the question, you can answer.</p> <p>2 A Oh. Can you restate the question, please?</p> <p>3 Q (By Ms. Snow) Sure. I think we already</p> <p>4 established that you received this roundup e-mail</p> <p>5 from Karen Pojmann --</p> <p>6 (Technical difficulty.)</p> <p>7 MR. BUCHHEIT: Jenifer, you're breaking</p> <p>8 up.</p> <p>9 Q (By Ms. Snow) As of June 12th, 2018 --</p> <p>10 MR. BUCHHEIT: Jenifer, you're breaking</p> <p>11 up.</p> <p>12 THE VIDEOGRAPHER: Do you want to go off</p> <p>13 the record real quick?</p> <p>14 MS. SNOW: I mean, am I --</p> <p>15 MR. BUCHHEIT: Yeah.</p> <p>16 THE VIDEOGRAPHER: We're going off the</p> <p>17 record at approximately 10:13 a.m.</p> <p>18 (Off the record at 10:13 a.m.)</p> <p>19 (On the record at 10:14 a.m.)</p> <p>20 THE VIDEOGRAPHER: We're back on the</p> <p>21 record at approximately 10:14 a.m.</p> <p>22 Q (By Ms. Snow) Director Precythe, this</p> <p>23 e-mail was in your inbox on June -- this roundup</p> <p>24 e-mail was in your inbox on June 12th, 2018; right?</p> <p>25 A Correct.</p>

1 Q So is it fair to say that as of June 12th,
2 2018, you already knew about Karen Kell's
3 allegations against Bearden, but now you knew of
4 a -- another lawsuit from inmate Lynnsey Betz
5 against Edward Bearden on June -- as of June 12,
6 2018?

7 A No. Because the e-mail came on June 12th,
8 but that doesn't necessarily mean that I read it on
9 June 12th. And it -- because it came to my e-mail
10 and there's an assumption that I read it, I may not
11 have read it. I may have scanned it. But if it
12 came on the 12th, it doesn't mean that I actually
13 saw it on the 12th, because I don't get to all my
14 e-mails the day they come.

15 Q Okay. Do you get to all of your e-mails
16 eventually?

17 A Eventually, yes.

18 Q You don't just delete e-mails that are in
19 your inbox?

20 A Not as a regular practice, no.

21 Q So it's your custom and practice to read
22 every e-mail that is in your inbox?

23 A That is my typical practice, yes, is to
24 read it or scan it. I may not read everything in
25 the e-mail, but I'll scan them.

1 Q And I assume the answer is you don't
2 remember or you don't know, but do you know if you
3 skimmed this e-mail on June 12th, 2018?

4 A I don't know if I did.

5 Q And, now, that's almost -- it's coming up
6 on three years ago. I imagine you probably can't
7 tell me when you think you scanned this e-mail. Is
8 that true?

9 A That's correct.

10 Q I mean, I guess -- how -- how delayed are
11 you with reading your e-mails sometimes? I mean, if
12 this came in June, is it going to be your testimony
13 in trial that you didn't read this until September
14 of '18?

15 A No.

16 MR. BUCHHEIT: Objection. Vague,
17 speculation, ambiguous.

18 Q (By Ms. Snow) Well, I'm not trying to be
19 vague and I'm not -- I'm not trying to speculate. I
20 honestly just kind of want to know. I mean, I also
21 sometimes get so many e-mails, I don't read them
22 that day, but I usually, you know, within 24 hours
23 have read -- at least skimmed what's in my inbox and
24 replied, you know, to who I need to reply to right
25 away and then the others just kind of sit in there

1 and I deal with them later.

2 Do you review or skim your e-mails within
3 a day, a week, a month, six months? I just kind of
4 want to know what you routinely do.

5 A My basic routine is that I read the
6 e-mails that require immediate attention and I get
7 to those first and then other e-mails like this one
8 would sit until I can get time where I can actually
9 go through and scan them or read through them to see
10 what's there. So I would say that, for the most
11 part, the longest that e-mails sit unread or
12 unacknowledged in my e-mail box would be a week at
13 the most.

14 Q Okay. So if I -- if I do math correctly,
15 by June 19th, 2018, you most likely saw this roundup
16 e-mail dated June 12th?

17 A This e-mail was sent on June 12th.

18 Q Right. And you said the longest e-mails
19 go unread is about a week. So is it fair to assume
20 by at least a week later, you would have read this
21 e-mail?

22 A I cannot -- I can't commit to that because
23 I don't know if we would have gotten another e-mail
24 and maybe I deleted this one and just went to the
25 next one that was read. I really don't -- it was

1 three years ago, so -- I get a large number of
2 e-mails daily, so I don't really recall if I read
3 this specific one.

4 Q That's fine. I'll move on. This is going
5 to be marked as Exhibit 5, I believe. And this is a
6 roundup from June 19th, 2018. It's both the news
7 roundup for June 19th and it was sent to you,
8 Director Precythe, on June 19th, 2018. Do you see
9 that?

10 A I do.

11 Q And this is probably what you meant. I
12 mean, you got -- you got what has been marked as
13 Exhibit 4 on the 12th and you got a new roundup on
14 the 19th. So are you telling me that because you
15 got the one on the 19th, if you hadn't read the one
16 from the 12th, you may have not skimmed that one and
17 just focused on the one from the 19th?

18 MR. BUCHHEIT: Objection. Vague,
19 ambiguous. Misstates prior testimony.

20 A Okay. So it -- it is possible that I did
21 not see the one on the 12th and removed it from my
22 e-mail box because this one came in on the 19th.
23 That's possible.

24 Q (By Ms. Snow) Okay. And on page 3 of 6
25 of Exhibit 5, you see under Lawsuits &

1 **Investigations, it says basically that John Dunn had**
 2 **pled guilty to sexual contact with Karen Keil?**
 3 MR. BUCHHEIT: Will you give the Director
 4 a chance to review this?
 5 MS. SNOW: Yep.
 6 MR. BUCHHEIT: Just take your time and let
 7 us know when you're done.
 8 A Right. Yes. I see this. What was the
 9 question?
 10 **Q (By Ms. Snow) I was just making sure that**
 11 **we're on the same page as to what is contained in**
 12 **Exhibit 5 so the record is clear. And this was in**
 13 **your inbox June 19th, 2018. And, again, Edward**
 14 **Bearden is listed because he is also in a lawsuit**
 15 **brought by Karen Keil, which was back, you know --**
 16 **given to you on -- in an e-mail on June 4th,**
 17 **which --**
 18 MR. BUCHHEIT: Is there a question?
 19 MS. SNOW: What, Zach?
 20 MR. BUCHHEIT: Is there a question?
 21 MS. SNOW: It's coming, maybe.
 22 **Q (By Ms. Snow) I mean, is Edward Bearden's**
 23 **name in this -- in this e-mail?**
 24 A Yes. Edward Bearden's name is in this
 25 e-mail.

1 **Q And it's relating to the allegations that**
 2 **were in a prior roundup from June 4th? And if I**
 3 **need to go back to that exhibit, I can. But**
 4 **basically Plaintiff Karen Keil sued Edward Bearden**
 5 **and John Dunn. And this now, in the middle of June,**
 6 **a few weeks later, John Dunn pleaded guilty, and**
 7 **then it just lists again that Edward Bearden is, you**
 8 **know, still on the radar, still on the hook, he's**
 9 **being sued, too, still.**
 10 MR. BUCHHEIT: Is there a question?
 11 **Q (By Ms. Snow) I'm just making sure that**
 12 **that is kind of -- I mean, is that what you get from**
 13 **reading this roundup piece on page 3 of 6 of**
 14 **Exhibit 5?**
 15 MR. BUCHHEIT: I'm just going to make a
 16 standing objection that the exhibit speaks for
 17 itself. The words on the exhibit speak for
 18 themselves. If you give her a question as to
 19 what Director Precythe knew or didn't know, I
 20 think she can answer that. But that's going to
 21 be my standing objection with respect to this
 22 exhibit.
 23 MS. SNOW: Okay.
 24 MR. BUCHHEIT: If you understand the
 25 question, you can answer.

1 MS. SNOW: I'll just move on. It's fine.
 2 **Q (By Ms. Snow) This is going to be marked**
 3 **as Exhibit 6. And this is a post -- can you see the**
 4 **whole title, or no?**
 5 A I can.
 6 **Q Okay. Your guy's little faces and boxes**
 7 **are covering up some of mine, but as long as you can**
 8 **see it. This is an article from Stitoday dated**
 9 **July 2nd, 2018, and the title is Missouri Prison**
 10 **Guard Sued for the Third Time Over Alleged Sexual**
 11 **Assault of Inmates. Is that -- is that correct?**
 12 **Did I read that right?**
 13 A Yes.
 14 **Q Do you remember seeing -- and I'll go**
 15 **slow, as slow as I need to -- seeing this article at**
 16 **any time?**
 17 A I do not.
 18 **Q Okay. Have you ever talked to John Ammann**
 19 **at -- he was -- he used to work in the Legal Clinic**
 20 **at SLU Law. Have you ever spoken with him about any**
 21 **of the allegations surrounding the officers I listed**
 22 **earlier, so Bearden, Mosier, Mustain, or Reed?**
 23 A Not to my recollection.
 24 **Q Have you ever spoke to Brendan Roediger,**
 25 **also Professor and working at the Legal Clinic at**

1 **SLU Law? Have you ever spoke to him about any of**
 2 **the allegations in any of these lawsuits?**
 3 A No, not to my recollection.
 4 **Q Have you ever spoke with any of the**
 5 **lawyers from the law firm listed here, Kamykowski,**
 6 **Gavin & Smith about any of the allegations in any of**
 7 **these lawsuits?**
 8 A Not that I'm aware of.
 9 **Q Okay. And you said you don't remember**
 10 **reading this article at any time?**
 11 A I don't.
 12 **Q All right. Here's another article dated**
 13 **July 3rd, 2018. Have you ever seen this article**
 14 **before?**
 15 A Not to my knowledge.
 16 **Q And that will be marked as Exhibit 7, just**
 17 **so the record is clear.**
 18 **Do you know when Edward Bearden -- well,**
 19 **do you know that Edward Bearden is retired from the**
 20 **Department of Corrections? He no longer is employed**
 21 **at Chillicothe. Are you aware of that?**
 22 A I am.
 23 **Q Do you know when he retired?**
 24 A I don't.
 25 **Q Do you know why he retired?**

1 A I do not.
 2 **Q Well, he did.**
 3 A Excuse me?
 4 **Q I'm going to show you -- I'm going to show**
 5 **you another exhibit. Can you see my screen?**
 6 A I can.
 7 **Q Do you see an e-mail from you to Edward**
 8 **Bearden dated August 17th, 2018?**
 9 A I do.
 10 **Q And you, I believe, earlier testified that**
 11 **you did not know Edward Bearden personally. Is this**
 12 **an e-mail that's kind of just a form e-mail that's**
 13 **sent off to correctional officers when they retire?**
 14 A This is a standard e-mail that my
 15 executive assistant sends to all Department of
 16 Corrections employees when they're retiring. She
 17 gets that list and -- this was something that I
 18 started when I first got to the department. It was
 19 part of our culture exchange, and employees were not
 20 being recognized for their years with the Department
 21 prior to retiring, and I thought it was important
 22 that they be recognized by the Director's office.
 23 **Q Okay. And do you know if Edward Bearden**
 24 **was planning on retiring in August of 2018?**
 25 A I did not.

1 **Q Do you have an opinion one way or the**
 2 **other that correctional officers, when they're under**
 3 **investigation, retire earlier than otherwise**
 4 **planned?**
 5 MR. BUCHHEIT: Objection, vague.
 6 A I can't speak to why correctional officers
 7 retire or when they retire.
 8 **Q (By Ms. Snow) Are you, I guess, ever**
 9 **aware of where correctional officers work within any**
 10 **given facility in the State of Missouri?**
 11 A I don't understand the question.
 12 **Q No, and I appreciate you saying that.**
 13 **So I will represent to you that Edward**
 14 **Bearden has testified in this case and has said that**
 15 **he worked utility, so kind of in and out all over**
 16 **Chillicothe for the majority of his time while he**
 17 **was there. Would you be aware of if or when his job**
 18 **changed to where he did no -- he no longer was**
 19 **assigned to utility and he worked either at a**
 20 **housing unit or the control center or transporting**
 21 **patients to and from? Would you have any knowledge**
 22 **of any of that at any time?**
 23 A No, I would not.
 24 **Q Okay. As of -- if we go back to this**
 25 **exhibit, we can --**

1 COURT REPORTER: Sorry, Jenifer, you cut
 2 out there.
 3 **Q (By Ms. Snow) As of June -- as of June,**
 4 **Director Precythe, you were aware that Bearden was**
 5 **involved in litigation due to raping a inmate or**
 6 **offender; correct?**
 7 MR. BUCHHEIT: Objection. Misstates
 8 testimony. Counsel's testimony.
 9 MS. SNOW: I'm not -- and, Zach, I don't
 10 think I'm misstating her testimony. And I'll
 11 pull up the exhibit again so we can go over it.
 12 MR. BUCHHEIT: I think we can say she was
 13 aware of allegations. I think that's fair.
 14 MS. SNOW: Okay. Sure. Fine.
 15 **Q (By Ms. Snow) Were you -- Director**
 16 **Precythe, were you aware of allegations that**
 17 **Edward Bearden sexually harassed, assaulted, abused**
 18 **an offender -- even one offender -- as of June 2018?**
 19 A I would have been.
 20 **Q Could you have put Bearden on leave with**
 21 **pay when --**
 22 **(Technical difficulty.)**
 23 MR. BUCHHEIT: Jenifer, I don't mean to
 24 interrupt you, but you were breaking up again
 25 for me. Could you -- could you start that

1 question over? I'm sorry.
 2 MS. SNOW: Yeah.
 3 **Q (By Ms. Snow) Could you have put**
 4 **Edward Bearden on leave without pay while, I guess,**
 5 **either the lawsuit was pending or an investigation**
 6 **was pending against him in -- in June of 2018?**
 7 A Actually, me? No. The appointing
 8 authority for the Division of Adult Institution in
 9 matters like that is the Division Director, which
 10 would have been Alana Boyles at the time.
 11 **Q And when did Boyles leave?**
 12 A She resigned in January of 2020.
 13 **Q Would she discuss these types of matters**
 14 **with you?**
 15 A Possibly --
 16 **Q And by these -- yeah. And just so we're**
 17 **both on the same page, when I say these types of**
 18 **matters, I mean deciding to put an officer, or a**
 19 **staff member for that matter, on administrative**
 20 **leave or on no contact at any point during their**
 21 **careers with the Department of Corrections.**
 22 A Not always. There was not a requirement
 23 that -- that those be discussed with me as the
 24 Director.
 25 **Q In what situations would that be required?**

1 A I don't have a particular -- I don't have
2 a particular practice that says all of X needs to
3 come to me before they take action. By statute, the
4 Division Directors are the appointing authority for
5 their division, and I trust them to handle their
6 staff as appropriate.

7 **Q Has there ever been a time where you**
8 **stepped in and directed one of your directors to do**
9 **something that they were otherwise not going to do?**

10 MR. BUCHHEIT: Objection, speculation.
11 Objection, vague.

12 **Q (By Ms. Snow) I'm not speculating**
13 **anything, I'm just asking if you've ever done that.**

14 MR. BUCHHEIT: You're speculating as to
15 what they were going to do. If you understand.

16 MS. WANG: Jenifer, I'm so sorry. The
17 question broke up for me, so I don't know what
18 you asked. Could you please repeat it?

19 MS. SNOW: Sure. I mean, I'll just start
20 over.

21 **Q (By Ms. Snow) Director Precythe, you just**
22 **told me that by statute, basically the Directors --**
23 **the Directors or the Division Directors are trusted**
24 **to handle putting officers or staff on leave,**
25 **administrative leave, no contact. Any and all of**

1 appointing authority for the Office of Director, not
2 for the Division of Adult Institutions.

3 **Q And who does the Division of Adult**
4 **Institutions -- I mean, they re -- they report to**
5 **you. Alana Boyles, back in 2017, '18, '19 through**
6 **January 2020, when she left, she reported directly**
7 **to you; right?**

8 A Correct.

9 **Q So I guess -- I guess I'm just confused if**
10 **you thought something didn't happen that wasn't**
11 **happening, would you or would you not have the**
12 **authority to make it happen? And -- and before Zach**
13 **objects 20 different ways, I mean, I can make this**
14 **as specific as we need.**

15 Edward Bearden had been sued numerous
16 times in 2018, specifically before late June and
17 early July of 2018, and we've already shown exhibits
18 and established that you knew of at least one or two
19 as of June of 2018.

20 Would you have the authority to go to
21 Alana Boyles and say Edward Bearden needs to be on
22 leave without pay until we figure out what's going
23 on?

24 MR. BUCHHEIT: Objection, vague.

25 A I would have the authority to go and have

1 those decisions are made by them; correct?

2 A Correct.

3 **Q And you also just told me that they don't**
4 **have to come to you about it, but they can; correct?**

5 A If they -- if it's something that they
6 need to discuss with me because they're unsure what
7 to do, we may have a discussion, but there's no
8 requirement that they come to me.

9 **Q Has there been at any point between 2017**
10 **to today, as you sit here and testify, that you have**
11 **gone to a Division Director and said -- and, I mean,**
12 **I guess specifically Alana Boyles -- and said this**
13 **should probably happen with this officer or this**
14 **staff member due to X?**

15 MR. BUCHHEIT: Objection, vague.

16 A The answer to that would be no. I've not
17 gone to Division Directors to tell them to do
18 something different than what they were planning to
19 do.

20 **Q (By Ms. Snow) You have the authority to**
21 **do that, though. True?**

22 MR. BUCHHEIT: Objection, vague.

23 A We -- they are the appointing authority,
24 which gives them the final say in how personnel
25 matters are handled within their division. I'm the

1 a discussion with her about matters, but she has the
2 ultimate decision to handle the situation. She's
3 the appointing authority for the Division -- or she
4 was the appointing authority for the Division.

5 **Q (By Ms. Snow) Okay. She could have put**
6 **Edward Bearden on leave without -- or on leave with**
7 **pay back in summer of 2018?**

8 A She would have had the authority to do
9 that, yes.

10 **Q And she would have had the authority to**
11 **have him put on no contact back in June of 2018?**

12 A She would have had the authority to do
13 that.

14 **Q Were you aware that Edward Bearden was**
15 **under investigation?**

16 A I -- when?

17 **Q Any time in, we'll say, 2018.**

18 A I don't -- I don't recall as I sit here
19 today if I knew he was under investigation.

20 **Q I'm going to share my screen with you**
21 **again. Can you see this e-mail from John Ammann**
22 **dated March 19, 2018?**

23 A I see that.

24 **Q And that actually -- this time, it's**
25 **directly sent to your inbox.**

1 Do you see that?

2 A I do.

3 Q And towards the bottom it says, We hope

4 you are following the Bearden investigation in

5 Chillicothe. Do you see that?

6 A I do.

7 MR. BUCHHEIT: Jenifer, what exhibit is

8 this?

9 MS. SNOW: Sorry, Zach. Good point.

10 We'll mark this as Exhibit 8.

11 Q (By Ms. Snow) As of March 2018, were you

12 aware that there was an investigation regarding

13 Bearden, who was one of your correctional officers

14 at Chillicothe?

15 A Sitting here today, I don't -- I don't --

16 I honestly do not recall what I was aware of in

17 March of 2018.

18 Q And I think we established earlier, you --

19 your custom and practice is to review e-mails that

20 require a response from you -- a pretty timely

21 response from you quickly, and other ones can take

22 up to a week for you to skim or read. Would this

23 e-mail fall under the category of needing a response

24 from you, or no?

25 A This -- I can tell you, I recall reading

1 this e-mail, and what I can tell you about following

2 the Bearden investigation in Chillicothe, I didn't

3 take any action, I didn't ask anything about it,

4 because this is one of those where there's a lot of

5 things going on, and I trusted my staff to tell me

6 if there was something I needed to know about the

7 Bearden investigation. So I didn't look into it any

8 further to see what he's talking about in this

9 particular e-mail.

10 I mean, there are a lot of things going on

11 in the Department of Corrections, and looking into

12 personnel investigations is not something I do

13 because there are a lot of other matters that

14 require my attention. So I was waiting for -- I can

15 tell you, I was waiting to be informed by my staff

16 on what I needed to know.

17 Q And I think you told me earlier that

18 Matt Briesacher would have been the one to talk to

19 you about any investigations happening; is that

20 right?

21 A That is correct.

22 Q Do you remember if Matt Briesacher ever

23 talked to you about the Bearden investigation in

24 Chillicothe?

25 A I really don't recall ever hearing about

1 any of the Bearden investigations in Chillicothe.

2 Q Is it possible that Matt Briesacher told

3 you about the investigations into Bearden at

4 Chillicothe in 2018?

5 A I don't recall any discussions about

6 Bearden and his investigations.

7 Q And I understand that March 2018, and

8 specifically March 19th, 2018, is obviously over

9 three years ago, and I appreciate you saying that

10 you don't recall events of three years ago. But

11 can't you agree with me that it's possible that

12 Matt Briesacher talked to you about the Bearden

13 investigation in Chillicothe that was unfolding as

14 early as 2018?

15 A Again, I can't -- I don't know, because

16 there are -- there's so many things that happen in

17 any given day in the Department of Corrections. I

18 honestly don't recall if the Bearden investigation

19 was something that I was aware of. Like I said, I

20 see this e-mail, but I didn't go and ask anything

21 additional about the Bearden investigation because

22 of this e-mail or any other reason. I -- there are

23 a lot of things that come across my desk on a daily

24 basis, on a weekly basis, on a quarterly basis, and

25 I don't have time to get into every single employee

1 matter that comes to the Office of Professional

2 Standards.

3 Q Okay. I'm going to show you what has been

4 marked as Exhibit -- or what will be marked as

5 Exhibit 9. This e-mail is from Stacey Ross. Who is

6 Stacey Ross?

7 A She works in the Office of Professional

8 Standards -- or over in our legal section. She

9 works in our legal section. Excuse me.

10 Q Okay. Is she, like, Matt Briesacher's

11 assistant or who -- who is she? What's her title?

12 A I -- I don't know.

13 Q Okay. Fair enough.

14 MS. SNOW: And, Zach, are you going to

15 agree that this is an e-mail produced by you,

16 that it was retrieved from Director Precythe's

17 inbox?

18 MR. BUCHHEIT: Yeah, we produced this as a

19 document that was in the Director's inbox.

20 Correct.

21 MS. SNOW: Thank you.

22 Q (By Ms. Snow) So Director Precythe, this

23 is an e-mail from Stacey Ross. So we'll just say

24 she's with Matt Briesacher's office. Is that fair?

25 A Yes.

1 Q Okay. And this was sent to you June 28th,
2 2018, and the subject is Lynnsey Betz v. Edward
3 Bearden, et al. Do you see that?
4 A I do.
5 Q Do you remember receiving this e-mail?
6 A I don't.
7 Q But you would have read it or at least
8 skimmed it within a week of June 28th, 2018?
9 A Actually, not this particular e-mail.
10 When I see e-mails of this nature -- and the "O"
11 means that it's an offender complaint. I don't know
12 if these complaints are against staff or other
13 offenders, and so I don't -- I don't look at these
14 e-mails. I wait for the Office of Professional
15 Standards to bring to me the things that I need to
16 be made aware of. I see these e-mails regularly
17 from the offender population.
18 Q Okay. So I don't want to misstate your
19 testimony, but is it fair to say that you somewhat
20 ignore the e-mails if the subject line has an O in
21 parentheses in it?
22 A I wouldn't say that I ignore them, but
23 what I would say is that I don't place the same
24 emphasis on reading these e-mails as I do from the
25 other e-mails that I receive on a regular basis.

1 Q Okay. So, I mean, I guess now I'm
2 confused. You do or don't read the e-mails that
3 have an O in parentheses?
4 A I do not read these e-mails.
5 Q Okay. Do you know when you were first
6 made aware that Elijah Mosier -- or that there were
7 allegations that Elijah Mosier sexually harassed or
8 assaulted an offender?
9 A I --
10 MR. BUCHHEIT: Objection. Assumes facts
11 not in evidence.
12 A I do not.
13 Q (By Ms. Snow) Are you copied on any
14 officer's disciplinary paperwork? In other words,
15 if I told you Mosier was disciplined due to
16 allegations relating to sexual harassment or
17 assault, would you have been made aware of that?
18 Are you cc'd on those correspondences?
19 A I am not.
20 Q Are you ever involved in any of that?
21 A No.
22 MR. BUCHHEIT: Objection, vague.
23 A Not to my knowledge. I don't receive hard
24 copies of information or e-mails about discipline.
25 Q (By Ms. Snow) I'm going to pull up an

1 exhibit, and I think this is Exhibit 10, but someone
2 please correct me if I'm wrong. Ms. Precythe, can
3 you see my screen?
4 A I can.
5 Q And this looks like a letter that is dated
6 June 23rd, 2017, and it is directed to Correctional
7 Officer Elijah Mosier; is that correct?
8 A Yes.
9 Q And I can go as slow as I need to or as
10 quickly as I need to. I do want you to kind of
11 review it.
12 MR. BUCHHEIT: Take your time.
13 A Okay. Right.
14 Q (By Ms. Snow) And so as you said earlier,
15 this would be something that Ms. Boyles would
16 handle. And then this cc, it says your name right
17 here. Do you see that?
18 A I do.
19 Q Does that mean you were given a copy of
20 this document?
21 A I don't know where those documents go. I
22 don't recall receiving them.
23 Q And did you see the -- kind of the
24 substance of that -- I don't know if it even said it
25 in there -- of the discipline? So obviously it was

1 for Mosier. I will represent to you -- and I can
2 open documents if I need to, but it had to do with
3 an incident where he called another staff member at
4 Chillicothe a bubble bitch.
5 Does that ring any bells to you?
6 A No.
7 Q Are you aware that Elijah Mosier is a
8 Defendant in this lawsuit?
9 A No.
10 Q Even as you sit here today, you have no
11 idea that he is a named officer in this lawsuit
12 that's pending?
13 A No.
14 Q Have you ever been given a copy of the
15 Complaint in this case?
16 A Not to my knowledge.
17 Q So do you even know what the allegations
18 are that have been made against you personally?
19 A No.
20 Q Have you ever asked to see the Complaint?
21 A No.
22 Q Is there a reason why?
23 A No.
24 Q I think you told me earlier that you've
25 given five depositions. How many lawsuits have you

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<p>1 personally been named in?</p> <p>2 A I have no idea.</p> <p>3 Q Are you aware that Todd Mustain, who used</p> <p>4 to be a correctional officer at Chillicothe, is also</p> <p>5 a named Defendant in this lawsuit?</p> <p>6 A No.</p> <p>7 Q So you do not know that Teri Dean is</p> <p>8 alleging that she was sexually harassed and</p> <p>9 assaulted and abused by Todd Mustain? Is that a</p> <p>10 fair statement?</p> <p>11 A I'm not aware of that.</p> <p>12 Q And I asked you earlier about an offender</p> <p>13 by the name of Crystal Logan. Do you remember that?</p> <p>14 A At the beginning.</p> <p>15 Q Right. And you said you -- you did not</p> <p>16 know her name or recognize her name. I will</p> <p>17 represent to you that she came forward with a</p> <p>18 complaint that Mustain exposed himself to her while</p> <p>19 she was in her cell.</p> <p>20 I understand that you would not have been</p> <p>21 given maybe a heads-up about that, but are you made</p> <p>22 aware of when your correctional officers have</p> <p>23 substantiated claims against them?</p> <p>24 A There -- I'm -- I -- again, I rely on</p> <p>25 Matt Briesacher or Vevia Sturm to bring information</p>	<p>1 A I am not.</p> <p>2 Q So is it fair to assume that you do not</p> <p>3 know any of the allegations against him in this</p> <p>4 lawsuit?</p> <p>5 A I do not.</p> <p>6 MS. SNOW: I think I'm about finished,</p> <p>7 Zach. Do you want to take, like, a five-minute</p> <p>8 break just so I can review my notes and make</p> <p>9 sure that I have nothing further?</p> <p>10 MR. BUCHHEIT: Sure. Yeah, that's fine</p> <p>11 with me.</p> <p>12 THE VIDEOGRAPHER: Going off the record at</p> <p>13 approximately 10:54 a.m.</p> <p>14 (Off the record at 10:54 a.m.)</p> <p>15 (On the record at 11:05 a.m.)</p> <p>16 THE VIDEOGRAPHER: We're back on the</p> <p>17 record at approximately 11:05 a.m.</p> <p>18 Q (By Ms. Snow) Director Precythe, are you</p> <p>19 okay to continue going?</p> <p>20 A I am.</p> <p>21 Q I only have a few more questions and then</p> <p>22 we'll be done. Okay? Thank you for your patience</p> <p>23 and for being here today. Just a few questions to</p> <p>24 end on.</p> <p>25 Have you had any communications with the</p>
Page 78	Page 80
<p>1 to me, substantiated sexual misconduct to me when</p> <p>2 it's something that I need to be aware of. I trust</p> <p>3 them to make me aware of the things that I need to</p> <p>4 be aware of.</p> <p>5 Q And is that the same -- would you say the</p> <p>6 same for substantiated and unsubstantiated claims?</p> <p>7 A If it's something that's going to be high</p> <p>8 profile in nature or something along those lines,</p> <p>9 they'll bring what they need to to me, but</p> <p>10 otherwise, I rely on them to handle all matters that</p> <p>11 are PREA, unprofessional conduct, civil right</p> <p>12 violation, that's what the Office of Professional</p> <p>13 Standards is there to do. I don't have time to get</p> <p>14 involved in all employee matters.</p> <p>15 Q Are you made aware when correctional</p> <p>16 officers are fired due to substantiated claims</p> <p>17 relating to sexual misconduct?</p> <p>18 A It's possible. I can't recall any right</p> <p>19 offhand.</p> <p>20 Q Do you know that Todd Mustain has been</p> <p>21 fired and no longer works at Chillicothe</p> <p>22 Correctional Center?</p> <p>23 A I'm not familiar with that name.</p> <p>24 Q Are you -- are you familiar with the name</p> <p>25 Kevin Reed?</p>	<p>1 Governor's office about any of the allegations in</p> <p>2 this lawsuit?</p> <p>3 A No.</p> <p>4 Q Have you had any communications with the</p> <p>5 Governor's office about the FBI investigating</p> <p>6 Chillicothe in 2018?</p> <p>7 A No.</p> <p>8 Q Have you had any communications with the</p> <p>9 Governor's office about any officers at Chillicothe</p> <p>10 being sued for sexual misconduct?</p> <p>11 A No.</p> <p>12 Q And I know earlier you told me that</p> <p>13 Alana Boyles, you know, kind of handles both the</p> <p>14 disciplinary actions and then, you know, putting</p> <p>15 officers on leave without pay or no contact. She --</p> <p>16 she kind of handles all that. Could you fire her if</p> <p>17 you disagreed with how she was handling all of that?</p> <p>18 A The directors are at will employees who</p> <p>19 serve at the pleasure of the director for the</p> <p>20 department.</p> <p>21 Q So the director for Ms. Boyles'</p> <p>22 department, who -- who is that?</p> <p>23 A Me. I'm -- the department -- they serve</p> <p>24 at the pleasure of the Department Director.</p> <p>25 Q So you could fire her -- or could have</p>

20 (Pages 77 to 80)

<p style="text-align: right;">Page 81</p> <p>1 fired her if you disagreed with how she was handling</p> <p>2 things. Is that true?</p> <p>3 A I could fire her if I was not satisfied</p> <p>4 with her performance, yes.</p> <p>5 Q Okay. And I know you testified earlier</p> <p>6 that you just found out today that there are</p> <p>7 actually five lawsuits currently pending in Federal</p> <p>8 Court against Edward Bearden. Do you wish you knew</p> <p>9 of that sooner?</p> <p>10 A I am --</p> <p>11 MR. BUCHHEIT: I'm just going to object.</p> <p>12 Vague and ambiguous, but go ahead.</p> <p>13 A I -- I mean, it's -- do I wish I had known</p> <p>14 about it sooner?</p> <p>15 Q (By Ms. Snow) Yeah.</p> <p>16 A I rely on my team to tell me what I need</p> <p>17 to know, and I did not -- I was not aware that there</p> <p>18 were five cases. I was prepared for the case that</p> <p>19 relates specifically to me.</p> <p>20 Q But, again, you don't know of even the</p> <p>21 allegations against you in the case specifically</p> <p>22 that relates to you? You testified earlier that you</p> <p>23 don't -- you've never seen the Complaint and you</p> <p>24 don't know what the specific allegations against you</p> <p>25 are. True?</p>	<p style="text-align: right;">Page 83</p> <p>1 Q (By Ms. Snow) And I understand that, and</p> <p>2 I -- I will talk to Briesacher probably pretty soon</p> <p>3 here to see what he thinks is important and what he</p> <p>4 doesn't, because I think we might have some</p> <p>5 disagreements there.</p> <p>6 But I'm asking you, as you sit here today</p> <p>7 as a Defendant in a lawsuit that Teri Dean has filed</p> <p>8 in Federal Court, if you think it's important that</p> <p>9 one of the Defendants that's going to be sitting</p> <p>10 next to you in October has actually been named now</p> <p>11 in five suits within the time span of six to nine</p> <p>12 months. Is that an important --</p> <p>13 MR. BUCHHEIT: Objection. Objection.</p> <p>14 Vague, ambiguous, argumentative.</p> <p>15 MR. TAULBEE: And I'll further object that</p> <p>16 it's improper.</p> <p>17 MR. BUCHHEIT: You can answer.</p> <p>18 Q (By Ms. Snow) You can answer, Director.</p> <p>19 MS. WANG: I'll join in on those</p> <p>20 objections. Thank you.</p> <p>21 A It's -- it is information that -- that --</p> <p>22 it -- I -- I don't know how to respond to the</p> <p>23 question, quite frankly. I don't. He is not an</p> <p>24 employee of the department at this point. I</p> <p>25 don't -- I really don't know how to respond to that</p>
<p style="text-align: right;">Page 82</p> <p>1 A Correct.</p> <p>2 Q I will represent to you that the Complaint</p> <p>3 that's been filed in this case as it relates to you</p> <p>4 specifically is your failure to act, specifically</p> <p>5 during the time frame where you knew about Bearden</p> <p>6 and did not protect Teri Dean. What -- I mean, what</p> <p>7 are your thoughts about that?</p> <p>8 MR. BUCHHEIT: Objection. Vague,</p> <p>9 ambiguous.</p> <p>10 MS. WANG: I will also object that</p> <p>11 counsel's -- I'll join.</p> <p>12 (Technical difficulty.)</p> <p>13 MR. BUCHHEIT: Christal, I think, got --</p> <p>14 MS. WANG: I also wanted to object that</p> <p>15 counsel is testifying. Thank you.</p> <p>16 MR. BUCHHEIT: I'll join.</p> <p>17 Q (By Ms. Snow) I mean, Director Precythe,</p> <p>18 do you wish you knew that there were five lawsuits</p> <p>19 pending against one of your correctional officers in</p> <p>20 2018 and 2019? Is it something that would be</p> <p>21 important for you to know?</p> <p>22 MR. BUCHHEIT: Objection. Vague,</p> <p>23 ambiguous, compound.</p> <p>24 A Again, I rely on my team to make me aware</p> <p>25 of the things that I need to be aware of.</p>	<p style="text-align: right;">Page 84</p> <p>1 question. I rely on my team to tell me what I need</p> <p>2 to know and when I need to know it.</p> <p>3 MS. SNOW: Yeah, I have nothing further.</p> <p>4 Thank you for your time.</p> <p>5 MR. TAULBEE: I don't have any questions</p> <p>6 at this --</p> <p>7 EXAMINATION</p> <p>8 QUESTIONS BY MS. WANG:</p> <p>9 Q Director Precythe, this is Christal Wang.</p> <p>10 I represent Director Kevin Reed, and I had a handful</p> <p>11 of questions.</p> <p>12 Would it be fair to say that some of the</p> <p>13 lawsuits against DOC and DOC employees are</p> <p>14 dismissed?</p> <p>15 A Yes.</p> <p>16 Q Changing subjects, I was wondering if you</p> <p>17 could tell me what an exit survey or exit interview</p> <p>18 is.</p> <p>19 A When employees leave the department, they</p> <p>20 have the opportunity to voluntarily complete an exit</p> <p>21 survey with their supervisor prior to leaving to</p> <p>22 give us information about how we're doing, the</p> <p>23 department, or whatever.</p> <p>24 Q I know you already said this, but the exit</p> <p>25 survey or the exit interview is voluntary; correct?</p>

21 (Pages 81 to 84)


<p style="text-align: right;">Page 85</p> <p>1 A Yes, it is.</p> <p>2 Q And so this is a difference between a PREA</p> <p>3 investigation and an exit survey or exit interview;</p> <p>4 correct?</p> <p>5 A Yes.</p> <p>6 MS. WANG: I have no further questions.</p> <p>7 Thank you so much.</p> <p>8 MR. BUCHHEIT: Does anybody else have</p> <p>9 questions? Okay. If you don't mind, I'd like</p> <p>10 to take 10 minutes to look over the notes and</p> <p>11 I'll have a couple of follow-ups.</p> <p>12 Do you guys want to come back at let's say</p> <p>13 11:23?</p> <p>14 THE VIDEOGRAPHER: We're going off the</p> <p>15 record at approximately 11:12 a.m.</p> <p>16 (Off the record at 11:12 a.m.)</p> <p>17 (On the record at 11:26 a.m.)</p> <p>18 THE VIDEOGRAPHER: We're back on the</p> <p>19 record at approximately 11:26 a.m.</p> <p>20 EXAMINATION</p> <p>21 QUESTIONS BY MR. BUCHHEIT:</p> <p>22 Q Okay. Director Precythe, do you remember</p> <p>23 earlier we talked about interrogatories in this</p> <p>24 case?</p> <p>25 A Yes.</p>	<p style="text-align: right;">Page 87</p> <p>1 been made aware of certain allegations in this</p> <p>2 lawsuit for the first time today; right?</p> <p>3 A Correct.</p> <p>4 Q I think you stated earlier you've never</p> <p>5 seen the Complaint in this lawsuit; is that right?</p> <p>6 A That's correct.</p> <p>7 Q I think you also stated you've never seen</p> <p>8 specifically what the allegations were against you</p> <p>9 in this lawsuit; is that right?</p> <p>10 A Correct.</p> <p>11 Q This isn't the first time you've been</p> <p>12 sued?</p> <p>13 A No.</p> <p>14 Q Is it your understanding that allegations</p> <p>15 in a lawsuit are -- are not necessarily true and are</p> <p>16 just allegations?</p> <p>17 A Yes.</p> <p>18 Q Can you say how often you're sued?</p> <p>19 A No.</p> <p>20 Q Why don't you know?</p> <p>21 A Because we're an incredibly large</p> <p>22 department, and as head of the department, any time</p> <p>23 people sue the Department of Corrections, I'm the</p> <p>24 named person.</p> <p>25 Q Do you have to time to read every lawsuit</p>
<p style="text-align: right;">Page 86</p> <p>1 Q Do you know what interrogatories are?</p> <p>2 A I do.</p> <p>3 Q What are they?</p> <p>4 A Questions asked before -- or once lawsuits</p> <p>5 have been filed.</p> <p>6 Q And you answered interrogatory in this</p> <p>7 case, didn't you?</p> <p>8 A I did.</p> <p>9 Q Who did you work with to answer those?</p> <p>10 A Matt Briesacher.</p> <p>11 Q Okay. You and Matt worked together to</p> <p>12 reach those answers?</p> <p>13 A We did.</p> <p>14 Q Okay. Is it fair -- I mean, the answers</p> <p>15 you worked on to reach with Matt, did those vary</p> <p>16 substantially from the answers that were submitted</p> <p>17 to opposing counsel?</p> <p>18 A No.</p> <p>19 Q You're aware of -- are you aware of every</p> <p>20 lawsuit you're in?</p> <p>21 A No, I'm not.</p> <p>22 Q Okay. You're aware you're a Defendant in</p> <p>23 this lawsuit, though?</p> <p>24 A I am.</p> <p>25 Q And you've been -- it's fair to say you've</p>	<p style="text-align: right;">Page 88</p> <p>1 that you're named in?</p> <p>2 A I do not.</p> <p>3 Q Why not?</p> <p>4 A Because there's a lot of other things</p> <p>5 going on in the department besides lawsuits. We're</p> <p>6 responsible for things as wide as electric fences,</p> <p>7 Puppies for Parole, the healthcare, the food,</p> <p>8 feeding 20,000 people three times a day, Probation</p> <p>9 and Parole. I mean, there's a tremendous number of</p> <p>10 things that we have to deal with, leaky roofs,</p> <p>11 arresting pilots in St. Louis, just a whole</p> <p>12 assortment of things in addition to culture change,</p> <p>13 hiring new management.</p> <p>14 I mean, the list just goes on and on of</p> <p>15 all the things that we have to deal with in the</p> <p>16 department, reentry initiatives, COVID, vaccines,</p> <p>17 hepatitis C. I mean, there's just -- there's a lot</p> <p>18 of things that go on in our department. I can't be</p> <p>19 involved with every single thing.</p> <p>20 Q So I think you mentioned that you are sued</p> <p>21 quite often; is that right?</p> <p>22 A Yes.</p> <p>23 Q I think you mentioned that allegations</p> <p>24 against you in lawsuits aren't necessarily true; is</p> <p>25 that right?</p>

22 (Pages 85 to 88)

1 A That's true.
 2 Q Is it fair to say that if every allegation
 3 in every lawsuit filed against you were true, you
 4 might not have a job?
 5 A That would be true.
 6 Q Are you aware of all the allegations in
 7 this lawsuit?
 8 A No.
 9 Q And it's true that some of the allegations
 10 you've just learned about for the first time today?
 11 A Yes.
 12 Q Have you ever heard of -- I think you
 13 testified earlier you've never heard of Defendant
 14 Mosier, Mustain, or Reed; is that right?
 15 A I have not.
 16 Q But you have heard about Bearden?
 17 A Yes.
 18 Q Do you recall when you first heard about
 19 Bearden?
 20 A No.
 21 Q Do you recall how you might have found
 22 out?
 23 A No.
 24 Q So it could have been through e-mail?
 25 A It's possible.

1 Q And it's also possible it could have been
 2 through staff?
 3 A Yes.
 4 Q Like Matt Briesacher?
 5 A Yes.
 6 Q But you don't know how you first found
 7 out?
 8 A No.
 9 Q Do you get a lot of e-mails?
 10 A I do.
 11 Q How many?
 12 A Hundreds. Upwards of a hundred a day,
 13 easily.
 14 Q Do you remember every e-mail you ever get?
 15 A I do not.
 16 Q Do you remember the content of every
 17 e-mail you ever get?
 18 A No.
 19 Q Do you get e-mails with news articles?
 20 A I do.
 21 Q How often?
 22 A Regularly.
 23 Q So it's fair to say DOC is regularly in
 24 the news?
 25 A Unfortunately, yes.

1 Q And why?
 2 A We could be in the news for pay,
 3 legislation, again, Puppies for Parole, reentry
 4 initiatives, cases against staff, allegations,
 5 treatment programs. I mean, there's -- there are a
 6 number of reasons the Department of Corrections is
 7 in the news.
 8 MR. BUCHHEIT: I think that's all I have
 9 for now. I might have further questions if --
 10 if any of you have further questions.
 11 MS. SNOW: I have nothing further.
 12 MR. BUCHHEIT: Nick? Christal?
 13 MR. TAULBEE: I don't have anything.
 14 Thank you.
 15 MS. WANG: I have no further questions.
 16 Thank you.
 17 MR. BUCHHEIT: Okay. I think we're done.
 18 We will read and sign.
 19 THE VIDEOGRAPHER: We're going off the
 20 record at approximately 11:31 a.m.
 21 (Deposition concluded at 11:31 a.m.)
 22
 23
 24
 25

1 CERTIFICATE OF REPORTER
 2
 3 I, Julie Ann Whiting, Certified Court
 4 Reporter within and for the State of Missouri
 5 and Registered Professional Reporter, do hereby
 6 certify that the testimony of said witness was
 7 taken by me to the best of my ability and
 8 thereafter reduced to typewriting under my
 9 direction; that I am neither counsel for,
 10 related to, nor employed by any of the parties
 11 to the action in which this deposition was
 12 taken, and further that I am not a relative or
 13 employee of any attorney or counsel employed by
 14 the parties thereto, nor financially or
 15 otherwise interested in the outcome of the
 16 action.
 17
 18 
 19 Julie Ann Whiting, CCR 830, RPR
 20 State of Missouri
 21
 22
 23
 24
 25

ANNE PRECYTHE 4/28/2021

Page 93	Page 95
1 ALARIS LITIGATION SERVICES	1 STATE OF _____)
2	2
3 May 13, 2021	3 COUNTY OF _____)
4 Mr. Zachary Buchheit	4
5 Office of Attorney General	5 I, ANNE PRECYTHE, do hereby certify:
6 207 West High Street	6 That I have read the foregoing deposition;
7 Jefferson City, Missouri 65101	7 That I have made such changes in form
8	8 and/or substance to the within deposition as might
9 IN RE: KEIL V. MHM SERVICES, INC., ET AL.; LYNNSEY	9 be necessary to render the same true and correct;
10 BETZ V. EDWARD BEARDEN, ET AL.; ASHLEY	10 That having made such changes thereon, I
11 ZIESER V. EDWARD BEARDEN, ET AL.; TERI DEAN	11 hereby subscribe my name to the deposition.
12 V. EDWARD BEARDEN, ET AL.; JANE DOE V.	12 I declare under penalty of perjury that the
13 EDWARD BEARDEN, IN HIS INDIVIDUAL CAPACITY	13 foregoing is true and correct.
14	14 Executed this ____ day of _____,
15 Dear Mr. Zachary Buchheit:	15 20____, at _____.
16 Please find enclosed your copies of the deposition of	16
17 ANNE PRECYTHE taken on April 28, 2021 in the	17
18 above-referenced case. Also enclosed is the original	18
19 signature page and errata sheets.	19 _____
20	20 ANNE PRECYTHE
21 Please have the witness read your copy of the	21
22 transcript, indicate any changes and/or corrections	22 _____
23 desired on the errata sheets, and sign the signature	23 NOTARY PUBLIC
24 page before a notary public.	24 My Commission Expires:
25 Please return the errata sheets and notarized	25
signature page within 30 days to our office at 711 N	
11th Street, St. Louis, MO 63101 for filing.	
Sincerely,	
Julie Ann Whiting	
Enclosures	
Page 94	
1 ERRATA SHEET	
2 Witness Name: ANNE PRECYTHE	
3 Case Name: KEIL V. MHM SERVICES, INC., ET AL.; LYNNSEY	
4 BETZ V. EDWARD BEARDEN, ET AL.; ASHLEY	
5 ZIESER V. EDWARD BEARDEN, ET AL.; TERI DEAN	
6 V. EDWARD BEARDEN, ET AL.; JANE DOE V.	
7 EDWARD BEARDEN, IN HIS INDIVIDUAL CAPACITY	
8 Date Taken: APRIL 28, 2021	
9	
10 Page #_____ Line #_____	
11 Should read: _____	
12 Reason for change: _____	
13	
14 Page #_____ Line #_____	
15 Should read: _____	
16 Reason for change: _____	
17	
18 Page #_____ Line #_____	
19 Should read: _____	
20 Reason for change: _____	
21	
22 Page #_____ Line #_____	
23 Should read: _____	
24 Reason for change: _____	
25 Witness Signature: _____	

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